

Amend 2 Cal. Code Regs. section 18420 as follows:

§ 18420. Reporting of Campaign Contributions and Expenditures of State or Local Government Agencies.

(a) Any candidate or committee that receives contributions from a state or local government agency shall report receipt of those contributions.

(b) The payment by a state or local government agency of the salary or expenses of its employees or agents is an expenditure or contribution only if the salary or expenses are for campaign activities and meet the requirements of ~~2 Cal. Adm. Code Section~~ 2 Cal. Code Regs. section 18423. For purposes of this ~~subsection-subdivision~~, "campaign activities" shall include, but are not limited to, the following:

- (1) Arranging or coordinating a campaign-related event;
- (2) Acting in the capacity of the campaign manager or coordinator;
- (3) Soliciting, receiving or acknowledging campaign contributions or arranging for the raising of contributions;
- (4) Developing, writing or distributing campaign literature or making arrangements for campaign literature;
- (5) Arranging for the development, production or distribution of campaign literature;
- (6) Preparing television, radio or newspaper campaign advertisements;
- (7) Arranging for the development, production, publishing or broadcast of campaign advertisements;
- (8) Establishing liaison with or coordinating activities of campaign volunteers;
- (9) Preparing campaign budgets;
- (10) Preparing campaign statements; and

1 (11) Participating in partisan get out the vote drives.

2 Nothing in this ~~subsection~~ subdivision shall require the reporting of employee's campaign
3 activities if such activities are performed on vacation time or other than during publicly paid
4 working hours.

5 (c) Notwithstanding ~~subsection~~ subdivision (b), the payment of salary or expenses by a
6 state or local government agency to an elected official shall not be an expenditure or
7 contribution.

8 (d) If a state or local government agency makes expenditures or contributions, as those
9 terms are defined in Government Code ~~Sections~~ sections 82015 and 82025 and ~~2 Cal. Adm.~~
10 ~~Code Sections~~ 2 Cal. Code Regs. sections 18215 and 18225, the state or local government
11 agency shall file campaign statements required by Chapter 4 of the Political Reform Act if the
12 agency qualifies as a committee under Government Code ~~Section~~ section 82013.

13 (e) The individual authorizing or directing the making of expenditures or contributions
14 which qualify an agency as a committee shall be the treasurer unless another individual is
15 designated.

16 COMMENT: This regulation establishes the requirement for a committee to report
17 receipt of contributions from state or local government agencies. If a state or local government
18 agency has enough campaign activity to qualify as a committee, the state or local government
19 agency itself will be required to file campaign statements.

20 Nothing in this regulation should be read as condoning or authorizing campaign-related
21 activities by a state or local government agency. Under many circumstances, such activities may
22 be illegal. See Penal Code ~~Section~~ section 424; Government Code section 54964; *Stanson v.*

- 1 *Mott*, 17 Cal. 3d 206 (1976); *People v. Sperl*, 54 Cal. App. 3d 640 (1976); and *People v. Battin*,
- 2 77 Cal. App. 3d 635 (1978).
- 3 NOTE: Authority cited: Section 83112, Government Code.
- 4 Reference: Sections 84200, et seq., Government Code.
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